UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HONEYWELL INTERNATIONAL INC.
101 COLUMBIA ROAD
P O BOX 2245
MORRISTOWN, NJ 07962-2245

EXAMINER
KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 June 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 3-72</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 3-72</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10 July 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on June 30, 2006 has been entered. Claims 1, 6, 8,

10, and 39 have been amended. Claim 2 has been cancelled. No claims have been

added. Claims 1 and 3-72 are now pending in this application, with claims 1, 10, 19, 25,

31, 39, 48, 59, and 66 being independent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1, 3, 4, 17, 29, 37, 41, 46, and 69 are rejected under 35 U.S.C. 102(b) as

being anticipated by Neher (US 5,905,461).

3.   In regards to claims 1, 17, 29, 41, and 46, Neher discloses a device (See Fig. 2 –

Fig. 5 and tracking unit 18) and method, comprising: a database of stored radio

frequency identifiers (e.g., identification codes) and radio frequency information

corresponding thereto (See col. 5 lines 24-28); and a processor (See Fig. 6 and

microprocessor/logic device 84) coupled to the database and operating one or more

algorithms (e.g., calculations) for comparing a decoded radio frequency identifier and a

comparison radio frequency identifier (e.g., valid identification codes stored within the

data base) selected from the stored radio frequency identifiers in the database (See col.

1 lines 58-67 and col. 5 lines 28-32) and for generating a display signal based on the

comparison (See col. 1 lines 19-32); and wherein the database stored radio frequency

identifiers is accessed as a function of a radio frequency signal and a position signal

indicative of a location of the device (See col. 3 lines 9-30 and col. 5 lines 24-49).

4.   In regards to claims 3 and 69, Neher discloses the device and method, further

comprising a memory device having the database stored therein (See col. 1 lines 58-67

and col. 5 lines 28-32).

5.   In regards to claims 4 and 37, Neher discloses the device and method, wherein

the one or more algorithms operated by processor includes one or more algorithms

(e.g., calculations) for generating the decoded radio frequency identifier by decoding a

coded radio frequency identifier (See col. 6-7 lines 61-6 and col. 7 lines 39-48).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 6-9, 11-13, 15, 16, 18, 20-23, 26-28, 33, 36, 30, 40, 42, 44, 45, and 47

are rejected under 35 U.S.C. 103(a) as being unpatentable over Neher (US 5,905,461),

in view of Chaco (US 7,012,534).

7.   In regards to claims 6, 7, 8, 9, 13, 22, 23, 30, and 42, Neher discloses all of

claims 6, 7, 8, 9, 13, 22, 23, 30, and 42 limitations, except the device and method,

wherein the display signal is one of a signal indicative of a correspondence and a

divergence between the decoded radio frequency identifier and the stored radio

frequency identifier. Chaco, however, does disclose the device and method, wherein

the display signal is one of a signal indicative of a correspondence and a divergence

between the decoded radio frequency identifier and the stored radio frequency identifier

(See col. 3 lines 48-64). Therefore, it would have been obvious for one of ordinary skill

in the art at the time of the invention to incorporate this feature within the system, as a

way of displaying the signal as a result of the comparison between the current radio

frequency identifier and the stored radio frequency identifier, as a way of informing one

of a change in the position of the device.

8.   In regards to claims 11, 12, 20, 21, and 40, Neher discloses all of claims 11, 12,

20, 21, and 40 limitations, except the device and method, further comprising means for

interrogating the storing means as a function of the predetermined (e.g. pre-stored)

radio frequency to select radio frequency information. Chaco, however, does disclose

the device and method, further comprising means for interrogating the storing means as

a function of the predetermined (e.g. pre-stored) radio frequency to select radio

frequency information (See col. 7 lines 50-63 and col. 10 lines 17-26).

9.   In regards to claims 15, 26, 27, 33, and 44, Neher discloses all of claims 15, 26,

27, 33, and 44 limitations, except the device and method, further comprising means for

displaying the selected radio frequency information. Chaco, however, does disclose the

device and method, further comprising means (See Fig. 3 and display 240) for

displaying the selected radio frequency information (See col. 3 lines 48-64 and col. 4

lines 52-54).

10.   In regards to claims 16 and 45, Neher discloses all of claims 16 and 45

limitations, except the device and method, wherein the means for displaying the

selected radio frequency information includes means for displaying one of the selected

radio frequency information and warning information as a function of the comparison

signal. Chaco, however, does disclose the device and method, wherein the means for

displaying the selected radio frequency information includes means for displaying one of

the selected radio frequency information and warning information (e.g. alarm) as a

function of the comparison signal (See col. 3 lines 48-64).

11.   In regards to claims 18 and 47, Neher discloses all of claims 18 and 47

limitations, except the device and method, further comprising means for displaying the

selected radio frequency information as a function of the comparison signal. Chaco,

however, does disclose the device and method, further comprising means for displaying

the selected radio frequency information as a function of the comparison signal (See

col. 3 lines 48-64).

12.   In regards to claims 28 and 36, Neher discloses all of claims 28 and 36

limitations, except the method, wherein altering the displayed database information

includes altering one or more of a color and a text of the displayed database

information. Chaco, however, does disclose the method, wherein altering the displayed

database information includes altering one or more of a color and a text of the displayed

database information (See col. 3 lines 48-53).

13.   Claims 5, 14, 19, 25, 31-32, 34-35, 38, 43, 48-68, and 70-72 are rejected under

35 U.S.C. 103(a) as being unpatentable over Neher (US 5,905,461), in view of Chaco

(US 7,012,534), and further in view of Pickles et al (US 3,790,943).

14.   In regards to claims 5, 14, 38, and 43, Neher and Chaco disclose all of claims 5,

14, 38, and 43 limitations, except the device and method, wherein the coded radio

frequency identifier is coded in Morse. Pickles, however, disclose the device and

method, wherein the coded radio frequency identifier is coded in Morse (See col. 5 lines

22-29). Therefore, it would have been obvious for one of ordinary skill in the art at the

time of the invention to incorporate this feature within the device, as a way of being able

to transmit the frequency information or identification faster, due to the spaced dots

being used in place of dash combinations for some letters.

15.   In regards to claims 19, 31, 32, 48, 49, 50, 59, and 66, Neher and Chaco

disclose all of claims 19, 31, 32, 48, 49, 50, 59, and 66 limitations, except a display

device, method, and decoder, comprising a second input coupled to receive a radio

frequency signal having an identifier coded in Morse code, the radio receiver outputting

the coded identifier. Pickles, however, disclose a second input coupled to receive a

radio frequency signal having an identifier coded in Morse code, the radio receiver

outputting the coded identifier (See col. 5 lines 22-29).

16.   In regards to claims 25, 52, and 62, Neher and Chaco discloses all of claims 25, 52, and 62 limitations, except a method and decoder comprising locating in an onboard database, database information corresponding to a facility closest to a present position of an aircraft using the indicated radio frequency and locating in the onboard database, database information corresponding to the closest facility. Pickles, however, disclose a method and decoder comprising locating in an onboard database, database information corresponding to a facility closest to a present position of an aircraft using the indicated radio frequency and locating in the onboard database, database information corresponding to the closest facility (See col. 5 lines 22-29).

17.   In regards to claims 34 and 35, Neher and Chaco discloses all of claims 34 and 35 limitations, except the method, further comprising altering the displayed information as a function of the correlating the decoded signal to a known radio navigation station. Pickles, however, disclose the method, further comprising altering the displayed information as a function of the correlating the decoded signal to a known radio navigation station (See Abstract).

18.   In regards to claims 51, 56, 57, 58, 60, 61, 67, 68, and 69, Neher and Chaco disclose all of claims 51, 56, 57, 58, 60, 61, 67, 68, and 69 limitations, except the decoder and method, further comprising: a correlator circuit receiving an output of the Morse symbol decoder and a predicted Morse code radio frequency identifier, the correlator circuit structured to correlate the output of the Morse symbol decoder with the predicted Morse code radio frequency identifier to determine whether the detected VHF radio frequency signal identifier corresponds to the predicted identifier. Pickles,

however, disclose the decoder and method, further comprising: a correlator circuit

receiving an output of the Morse symbol decoder and a predicted Morse code radio

frequency identifier, the correlator circuit structured to correlate the output of the Morse

symbol decoder with the predicted Morse code radio frequency identifier to determine

whether the detected VHF radio frequency signal identifier corresponds to the predicted

identifier (See col. 5 lines 22-29).

19.   In regards to claims 53, 54, 55, 63, 64, 65, 70, 71, and 72, Neher and Chaco

disclose all of claim 53, 54, 55, 63, 64, 65, 70, 71, and 72 limitations, except the

decoder and method, further comprising a threshold estimator circuit coupled to receive

the predicted Morse code radio frequency identifier and structured to estimate a signal

energy in the predicted Morse code radio frequency identifier. Pickles, however,

disclose the decoder and method, further comprising a threshold estimator circuit

coupled to receive the predicted Morse code radio frequency identifier and structured to

estimate a signal energy in the predicted Morse code radio frequency identifier (See col.

2 lines 40-58 and col. 6 lines 39-55).

Response to Arguments

20.   Applicant's arguments with respect to claim 1 and 3-72 have been considered but

are moot in view of the new ground(s) of rejection.

Conclusion

21.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.   Romrell (US 3,772,699) teaches a radio navigation pulse pair detector. Neher (US 6,388,612) teaches a global cellular position tracking device.

22.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

23.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

24.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thjuan P. Knowlin